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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,487	07/16/2003	Takeshi Satomi	04329.3095	8856
7590	03/15/2004		EXAMINER	
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 1300 I Street, N.W. Washington, DC 20005-3315			BLACKMAN, ROCHELLE ANN J	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/619,487	SATOMI, TAKESHI	
	Examiner Rochelle Blackman	Art Unit 2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 16 July 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-3 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 16 July 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/16/03 & 12/23/03.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claim 2 is objected to because of the following informalities: the claim recites the limitation "first insertion slot" in line 5 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitation, "the protective member has an exit slot to send the card to the first insertion slot of the card receiver" renders the claim indefinite because the "protective member" and the "exit slot" does not "send the card to the first insertion slot of the card receiver".

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by

Kobayashi, JP Patent No. 10-283450.

Kobayashi discloses an “apparatus”(see Drawings 9-11) comprising: a “body”(see 1 of Drawing 11); and a “unit which is arranged in the body”(see apparatus of Drawings 9 and 10), wherein the unit comprises a “card receiver which receives a card”(see 1a of Drawing 3 and 7), and a “protective member which protects part of the card that projects from the card receiver when the card receiver receives the card”(see 13 of Drawing 9-11); “wherein the card receiver has an insertion slot to receive the card, the protective member has an exit slot to send the card to the first insertion slot of the card receiver, and the insertion slot and the exit slot oppose each other”(for “insertion slot/ “first insertion slot”, see 1a of Drawings 3 and 7 and for “exit slot”, see 13a of Drawings 9 and 10); and “wherein the card receiver is accommodated in the body, and the protective member is exposed from the body”(see location of “card receiver” 1a in Drawings 3 and 7 and see location of “protective member” 13 in Drawings 9-11).

2. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by

Yamamoto, JP Patent No. 11-095869.

Yamamoto discloses an “apparatus”(see Drawings 1-3) comprising: a “body”(see 1 of Drawings 1 and 3); and a “unit which is arranged in the body”(see 2<sup>nd</sup> apparatus of Drawings 1 and 3 and see Drawing 2), wherein the unit comprises a “card receiver

which receives a card"(see 3a of Drawings 1 and 3), and a "protective member which protects part of the card that projects from the card receiver when the card receiver receives the card"(see 3,5a or 3,5b of Drawings 1-3); "wherein the card receiver has an insertion slot to receive the card, the protective member has an exit slot to send the card to the first insertion slot of the card receiver, and the insertion slot and the exit slot oppose each other"(for "insertion slot"/ "first insertion slot", see 3a and for "exit slot", see 3 of drawings 1 and 3); and "wherein the card receiver is accommodated in the body, and the protective member is exposed from the body"(see location of "card receiver" 3a and location of "protective member" 3,5a or 3,5b in Drawings 1-3) .

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rochelle Blackman whose telephone number is (571) 272-2113. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russell Adams can be reached on (571) 272-2851. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2851

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RB



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